

REMARKS

Claims 1 through 18 remain pending. The non-final Office Action dated June 20, 2006 states, in the Summary page, that it is responsive to the Amendment filed November 8, 2005. It is assumed that this statement is in error and that the Action was intended to be responsive to the Amendment filed April 4, 2006. Confirmation that the latter Amendment was considered is respectfully requested. If however, the April 4 Amendment was not placed of record, a copy of that Amendment will be submitted.

In response to the June 20 Office Action, claim 4 has been amended. Care has been taken to avoid adding new matter. Favorable reconsideration of the application is respectfully solicited.

A new title has been required. In response, the title has been changed as shown supra. The Examiner is respectfully requested to suggest a more suitable title if the new title is not acceptable.

Claims 2, 5 and 15 through 18 have been rejected under the second paragraph of 35 U.S.C. § 112 for lacking antecedent basis for the term "the accuracy setting information" in claims 2 and 5. The rejection is respectfully traversed. The claims at issue all depend from claim 1. Claim 1 includes the phrase "accuracy setting information" at both lines 5 and 8, thereby providing antecedent basis for the phrase in the dependent claims. Withdrawal of the rejection is respectfully solicited.

Claim 4 was indicated to be allowable if presented in appropriate independent form. In response, claim 4 has been amended to include the recitation of its former parent claim 1. The objection to claim 4 thus has been overcome.

Claims 1 through 3 and 5 through 18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Nadine, of record, in view of U.S. patent 6,275,824 (O’Flaherty). The rejection is respectfully traversed.

Nadine was relied upon as a principal reference in the previous Office Action to which the April 4 Amendment responded. As the discussion in that Amendment with respect to Nadine and these unamended claims is still applicable, and it is not clear from the Office Action that they have been considered, relevant portions are presented below.

The apparatus recited in claim 1 includes an acquiring means for acquiring sequential user-designated information at a constant period or cycle, the acquired sequential information including information regarding selections made by a user; accuracy setting means allowing a user to input setting information including a ratio of disclosure of the acquired sequential information to an external device; and information notifying means controlled according to the accuracy setting information. Of particular note for purposes of distinguishing over Nadine, the notifying means obtains the log information for notifying the external device, by restricting acquired sequential information according to the ratio of disclosure.

The object of the user-designated information accuracy setting (specifying a ratio of disclosure of user-designated information to be provided as log information) is different from Nadine. Nadine’s technique is aimed at reduction of the size of log information to be stored (paragraph [0039]). One purpose of the accuracy setting in claim 1 is to provide flexible setting of a ratio of disclosure (e.g. specifying an arbitrary ratio of disclosure within a range from, for example, 0% to 100%). Applicants’ specification states that in the past “[t]he degree of freedom related to the form of provision of the log information was low. The prior art cannot realize setting such as the provision of 40% of user-designated information as log information, etc.” (see

Lines 6-10 of Page 2 of the original specification of this application). Another purpose of the accuracy setting in claim 1 is to provide privacy protection against the disclosure of log information by flexibly setting a ratio of disclosure. Applicants' specification states that "there is a tendency that a limitation is imposed on a user who provides the log information from the view point of protection" (see Lines 21-24 of Page 2 of the original specification of this application).

In view of the difference of the above-described purposes, the apparatus of claim 1 is different from that of Nadine. The apparatus of claim 1 is configured to include user-designated information notifying means, which restricts acquired sequential information used in the log according to the ratio of disclosure. For example, Fig. 2 shows user-designated information notifying means 203 that controls a ratio of disclosure of the user-designated information to be provided as the log information on the basis of a disclosure period. In describing Fig. 3, the specification (starting on Line 2 of page 12) states:

... The user-designated information accuracy setting means 205 notifies an accuracy setting 207 set by a user to the user-designated information notification control means as accuracy setting information 211. An example shown in FIG. 3 has shown where the user operates such a setting screen as shown in FIG. 12 by way of example to thereby set accuracy information to 40%. In response to it, the user-designated information notification control means 240 generates notice control information 210 in which the ratio between periods of "H" and "L" designated at numeral 210 shown in FIG. 3 is given as 40:60. While the period or cycle of this signal is not limited to it, the period thereof will be defined as a cycle of one hour, for example. When the notice control information 210 is "H", the user-designated information notifying means 203 outputs user-designated information 209 as log information 213. When the notice control information 210 is "L", the user-designated information notifying means 203 outputs "L" (indicative of the absence of information) as log information 213. The log information 213 is notified to the log accumulation controller 103 through the log storing and transmitting means 212 as log information 116. The log information outputted from the log storing and transmitting means 212 is designated at numeral 116 in FIG. 3. It is understood that as to 40% of the entire log information, which is specified by the user's accuracy setting, log information obtained from user-designated information with an actual user operation as a base

is transmitted, whereas as to the remaining 60%, user-designated information is masked so that no log information is transmitted. Thus, the log information 116 includes user-designated information corresponding to a desired log accuracy set by a user.

As shown by the quotation of the description of an example from the specification, the apparatus restricts information for inclusion in the log based on a user specified ratio, 40:60 in the particular example. Nadine discloses a selection process of disclosure items based on information type. If information is of a type ("select information items" as described in Line 9 of Column 5) selected by the user for inclusion in the log, Nadine's device stores the particular information. If the information is not of one of the types identified for inclusion in the log, Nadine's device apparently discards (does not store) that particular information. Attention is directed to paragraph 0039, in lines 5-18 of column 5 of Nadine. It is respectfully submitted that parsing of information items based on type, does not satisfy the claim requirements for specifying accuracy setting information including a ratio of disclosure and restricting acquired sequential information according to the ratio of disclosure.

Hence, Nadine does not satisfy all requirements of independent claim 1. The Office Action recognizes that Nadine does not disclose that log information is restricted according to a ratio of disclosure. O'Flaherty is relied upon for concluding that such a provision in Nadine would have been obvious. It is respectfully submitted that a person of ordinary skill in the art, having considered the teachings of both Nadine and O'Flaherty would not have been motivated to modify Nadine to arrive at the claimed invention.

O'Flaherty describes the disclosure of data corresponding to the privacy information parameters (personal privacy parameters) set in a data base at column 13, lines 55-60, with respect to Fig. 5. The prerequisite configuration of this system comprises the data managing server (data warehousing system 100 of Fig. 1, described at column 4, lines 2-7) and the client

which sends data acquisition request to the server (for example, kiosk/pos device 134, described at column 4, line 61 - column 5, line 16. Moreover, data registration and update are performed only by applications with priority A (privileged view 262), described at column 8, lines 46-61.

In O'Flaherty, information registration to the database is performed by applications with priority A and the disclosure of data corresponding to privacy information parameters is performed when the database is referenced.

On the other hand, the present invention is aimed at making a user designate the accuracy of log information to be provided through such a configuration that user-designated information is provided as log information with the accuracy corresponding to log accuracy setting in a client (in-home device 113, 114, 115) which provides log information to the database server (log accumulation controller 103) as described in the summary of invention, lines 1-9 of page 3. The claimed invention is capable of providing user-designated information as log information with the accuracy corresponding to log accuracy setting. Both Nadine and O'Flaherty are not configured in order to have a comparable function.

From the view point of protection of personal information, it is indispensable for the claimed invention to assure a user that he/she can designate the accuracy of log information based on his/her own management in a client/in-home device when he/she registers log information. On the other hand, neither Nadine and O'Flaherty discloses such a function as they only describe the log information providing system when already registered log information is put to use.

The object of the user-designated information accuracy setting, i.e., specifying a ratio of disclosure of user-designated information to be provided as log information, in the claimed invention, is different from the applied references. Nadine is directed to reduction of the size of

log information to be stored (paragraph [0039]). On the other hand, the claimed invention is provides the following elements:

(a) flexible setting of a ratio of disclosure. Specifying an arbitrary ratio of disclosure within a range from, for example, 0% to 100%. “The degree of freedom related to the form of provision of the log information is low. The prior art cannot realize setting such as the provision of 40% of user-designated information as log information, etc.” (described in line 6 of page 2)

(b) privacy protection against the disclosure of log information by flexibly setting a ratio of disclosure. “There is a tendency that a limitation is imposed on a user who provides the log information from the view point of protection.” (described in line 21 of page 2)

The present invention is configured to include user-designated information notifying means (Fig. 2, user-designated information notifying means 203) that controls a ratio of disclosure of the user-designated information to be provided as the log information on the basis of a disclosure period (Fig. 3, “While the period or cycle of this signal is not limited to it, the period thereof will be defined as a cycle of one hour for example.” (as described in line 13 of page 12) In a selection process of disclosure items described in Nadine, a selection is made from only two conditions, i.e., disclosure/non-disclosure with respect to one information item due to the difference in configuration (“select information items” line 9 of column 5). On the other hand, the present invention enables disclosure of the user-defined information at an arbitrary ratio of disclosure by disclosing content of the information items in a time-series manner.

Claim 2 additionally requires that the log information is transmitted to the external device together with log accuracy information generated based on the accuracy setting information. The transmitted log information is that obtained by restricting acquired sequential information used in the log according to the **ratio of disclosure** (last paragraph of parent claim 1). The transmitted

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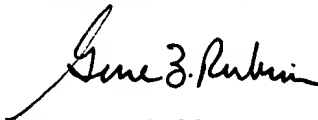
accuracy setting information is setting information that includes the ratio of disclosure (third paragraph of parent claim 1).

In Nadine, the accuracy is set by selecting items of the user-designated information to be recorded. Transmitting just the items selected and obtained (log information) does not provide both a transmission of the log information AND accuracy setting information. In the Nadine apparatus, it is required to know all the items of the user-designated information in advance, on the reception side where log accuracy information is determined. However, in claim 2, the accuracy setting information that includes the ratio of disclosure is sent with the log information that has been obtained by restricting acquired sequential information used in the log according to the ratio of disclosure.

Allowance of the application is respectfully solicited. To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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